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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,352	12/30/2003	Martin Finnerty	SBL0029US	7797
60975	7590	05/25/2006	EXAMINER	
CSA LLP 4807 SPICEWOOD SPRINGS RD. BLDG. 4, SUITE 201 AUSTIN, TX 78759			LEE, CHUN KUAN	
			ART UNIT	PAPER NUMBER
			2181	

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/748,352	FINNERTY ET AL.	
	Examiner Chun-Kuan (Mike) Lee	Art Unit 2181	

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 06 March 2006.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-39 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-39 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 30 December 2003 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1.) Certified copies of the priority documents have been received.  
 2.) Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*Fritz M. Fleming*

FRITZ FLEMING

PRIMARY EXAMINER 5/12/2006

GROUP 2100

Att 4181

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-39 have been considered but are moot in view of the new ground(s) of rejection. Claims 1-39 are currently pending for examination.
  
2. In responding to applicant's argument regarding the amended independent claim 1, wherein "process command" is not equivalent to the second request, as the second request is produced by converting the original request and that the one device is configured to provide the service in response to receiving the second request, as stated on page 10, last paragraph. Applicant further argued that the process command is not received by the printer and there is no description of the printer being configured to print in response to receiving the process command, as stated on page 11, 4<sup>th</sup> paragraph. Applicant's argument has fully been considered, but is found not to be persuasive.

Wakai teaches the printer as the claimed element, "one device", wherein Wakai's printer comprising the server component (Fig. 2, ref. 103) and the printer (Fig. 2, ref. 206) (col. 15, ll. 12-17). Further more, examiner equivocates the claimed limitation "the request" (conforming to a request format defined in a first language) to Wakai's request transferred over the network from the web browser (Fig. 2, ref. 202, 203) to the web server (Fig. 2, ref. 204), the request is then converted by the request manager (Fig. 2, ref. 2) into a corresponding process (print) command (second request) and is

transmitted to the command analysis/process unit (Fig. 2, ref. 208), and printing is then performed. Wakai teaches the example by starting with the user chooses a button to instruct printing, a request (first request conforming to the first language) “selection of a print button” is converted into a print command (second request conforming to the second language) “execution of a process corresponding to the print button” and printing is performed (col. 14, ll. 51-55). Therefore, the requested service for printing is performed by the printer when the printer receives the print command (second request).

3. In responding to applicant’s argument regarding the amended independent claim 1 that Wakai fails to teach the “identifying one device of the at least one device to provide the service,” as stated on page 12, 2<sup>nd</sup> paragraph. Applicant’s argument has fully been considered, but is found not to be persuasive.

Wakai teaches a plurality of devices comprising of a scanner (Fig. 7, ref. 704), a printer (Fig. 7, ref. 702) and a multi-function device (Fig. 7, ref. 705) coupled to the network (Fig. 7, ref. 701), wherein the plurality of devices comprising the functions of printing (printer 702 of Fig. 7) and scanning (scanner 704 of Fig. 7), and prior to the implementation of the printing function by the printer, the specific printer must be opened (Fig. 32, ref. S3201), therefore in order to open the specific printer associated with the request for print service, the specific printer must be identified.

***Claim Objections***

4. Claim 23 is objected to because of the following informalities:

as claim 23 is amended, "(Original)" should be replaced with -(Currently Amended)-. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Wakai et al. (US Patent 6,587,126).

6. As per claims 1, 9, 16, 23 and 30, Wakai teaches a computer-readable medium system and method comprising:

a processor (CPU 802 of Fig. 8) for executing instructions; and

a memory (Fig. 8, ref. 805-807) for storing the instructions, wherein

the memory is coupled to the processor (Fig. 8), and

the instructions comprise:

a module of obtaining instructions (web server 204 of Fig. 2) to obtain a request to provide a service (service of printing), wherein the request conforms to a request format defining in a first language (col. 14, ll. 41-47), wherein the request to provide service of printing is transferred from the web browser (Fig. 2, ref. 202 ,203) to the web

server (Fig. 2, ref. 204) conforming to the language utilized by the web browser, such as HTML (Fig. 132),

a module of identifying instructions for identifying one device (printer) of at least one device to provide the service (service of printing) (Fig. 32, ref. S3201), wherein in order to open the specific printer associated with the printing request, the specific printer must be identified, and

at least one device (printer 702 of Fig. 7) of a plurality of devices (printer 702, scanner 704, multi-function device 705 of Fig. 7) is configured to provide the service (service of printing), wherein the plurality devices comprising the printer, the scanner and the multifunction device; and

a module of converting instructions (request manager 207 of Fig. 2) for converting the request to a second request (process command comprising the print command) (col. 14, ll. 47-55), wherein the request manager converts the request to the corresponding process command;

wherein the second request conforms to a second language (language associated with process command) (col. 14, ll. 47-55);

one device (the printer comprising server component 103 and printer 206 of Fig. 2 and col. 15, ll. 12-17) is configured to provide the service (service of printing) in response to receiving the second request (process command comprising the print command) (col. 14, ll. 47-55), wherein the service of printing is performed when the printer's command analysis/process unit (Fig. 2, ref. 208) receives the print command.

7. As per claim 2, Wakai teaches the computer-readable medium system and method comprising directing the second request (process command comprising the printing command) to the one device (printer) (col. 14, 47-55), as the second request (process command) is directed to the printer's command analysis/process unit (Fig. 2, ref. 208).

8. As per claim 3, Wakai teaches the computer-readable medium system and method comprising:

the first language is a mark up language (Fig. 10 and col. 14, ll. 41-47), as the request is transferred by the web browser (Fig. 2, ref. 202, 203) over the network to the web server (Fig. 2, ref. 204) utilizing language such as HTML (Fig. 132);

the second language is a device specific language of a plurality device specific languages (Fig. 7 and col. 16, ll. 56-60), wherein process command comprising the print command and the scan command, as the print command would be specific for the printer and the scan command would be specific for the scanner,

wherein each of the plurality of devices communication using one of the plurality of device specific languages (Fig. 7 and col. 16, ll. 56-60).

9. As per claim 4, Wakai teaches the computer-readable medium system and method comprising wherein the request format comprises:

at least one instruction (instruction to print) (col. 17, ll. 8-14), and

data (print information) to be used when performing the at least one instruction (col. 17, ll. 8-14).

10. As per claim 5, Wakai teaches the computer-readable medium system and method comprising:

wherein the request specifies use of a specific feature (printing feature) of a specific device (printer 702 of Fig. 7) of the plurality of devices (printer 702, scanner 704, multi-function device 705 of Fig. 7) (Fig. 22 and col. 14, ll. 51-55)

by specifying a optional variable (variable of "Print") (Fig. 22 and col. 23, ll. 59-63), and

providing a value (value of data file to be printed) for the optional variable (Fig. 132 and col. 45, ll. 19-22), wherein the data file to be printed is provided by specifying the specific data file; and

the converting the request to the second request comprises:

including the optional variable in the at least one instruction of the second request, and including the value for the optional variable in the data of the second request (Fig. 132 and col. 45, ll. 19-22), wherein the user requests service of printing of the specific data file by selecting the "print" on screen with the specific data file, therefore the second request comprises of the "print" request and the data file to be printed,

wherein the optional variable and the value specify use of the specific feature (printing feature) (Fig. 132 and col. 45, ll. 19-22), as “print” request specify the performance of the print feature of the specified data file.

11. As per claim 6, Wakai teaches the computer-readable medium system and method comprising sending a response to the request (Fig. 22, ref. S2213), as the HTML page corresponds to the printing is transferred to the client component.

12. As per claim 7, Wakai teaches the computer-readable medium system and method comprising wherein the response conforms to a response format defined in the first language (HTML format) (Fig. 22, ref. S2213).

13. As per claim 8, Wakai teaches the computer-readable medium system and method comprising wherein the response format comprises at least one instruction (Fig. 22, ref. S2213), wherein the instruction comprising the instruction to display the corresponding HTML page; and data to be used when performing the at least one instruction (Fig. 23, ref. S2312, S2313 and col. 24, ref. 45-49), wherein the data to be used comprising “Printing successful” and “Printing failure”.

14. Claims 10-15, 17-22, 24-29 and 31-36 repeat the limitations of claims 2 and 4-8 and are therefore rejected accordingly.

15. As per claim 37, Wakai teaches an application programming interface system and method comprising:

a request definition for a first command to provide a request for a service (service of printing) (col. 14, ll. 41-47), wherein the first command is the request transferred from the web browser (Fig. 2, ref. 202, 203) to the web server (Fig. 2, ref. 204), wherein

the request conforms to a request format defined in the first language (col. 14, ll. 41-47), wherein the first language is the language utilized between the web browser (Fig. 2, ref. 202, 203) and the web server (Fig. 2, ref. 204), such as HTML, as prior to the transfer of the request by the web browser, the web browser implement the required conversion, such as the user selecting a (printing) button on the screen and the web browser implement tie conversion of the operation instruction to the request "selection of a specific button" (printing button),

the request format is specified in the request definition (col. 14, ll. 41-47), wherein the web browser is required to comprise the request definition specifying the definition of the first language associated to the request format as it is the web browser that implement the required conversion to the request in the first language to be transferred to the web server,

at least one device (printer 702 of Fig. 7) of a plurality of devices (scanner 704, printer 702, multi-function device 705 of Fig. 7) is configured to provide the service (service of printing),

one device (the printer comprising server component 103 and printer 206 of Fig. 2 and col. 15, ll. 12-17) of the at least one device is identified to provide the service in response to the first command (Fig. 32, ref. S3201), wherein in order to open the specific printer associated with the printing request, the specific printer must be identified, and upon receiving the first command by the printer, printing is performed after proper conversion of the first command to the process (print) command by the request manager (Fig. 2, ref. 207) (col. 14, ll. 47-55),

the request is converted to a second request (process command comprising the print command) (col. 14, ll. 47-55), wherein the conversion is implemented by the request manager (Fig. 2, ref. 207);

the second request conforms to a second language (language associated with the process command) (col. 14, ll. 47-51), and

the one device (the printer comprising server component 103 and printer 206 of Fig. 2 and col. 15, ll. 12-17) is configured to provide the service (service of printing) in response to receiving the second request (process command comprising the print command) (col. 14, ll. 47-55), wherein the print command is received by the printer's command analysis/process unit (Fig. 2, ref. 208).

16. As per claim 38, Wakai teaches the application programming interface system and method comprising a response definition for a response format in which a response to the request is provided (Fig. 22, ref. S2213), wherein the response format is defined as the HTML format, responding to the service of printing.

17. As per claim 39, Wakai teaches the application programming interface system and method comprising an initialization (initialize by conversion) definition for a second command (process command) to initialize prior to providing the request for the service (col. 14, ll. 47-55), as conversion of the request received by the web server (Fig. 2, ref. 204) to the process command is defined by the request manager (Fig. 2, ref. 207) and upon proper conversion of the request to the process command, request for the service of printing is performed.

### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fritz M. Fleming can be reached on (571) 272-4145. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2181

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.K.L.  
05/22/2006

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